IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.171 OF 2007

Bhikaji Ratnu Jadhav ... Petitioner

Vs.

Slum Rehabilitation Authority
& 5 Ors. ... Respondents

Mr. Rajesh Dixit i/b M/s. V.R. Tripathi & Associates for the Petitioner.

Mr. K.R. Belosey, Off. G.P. for the State.

Ms. A.K. Savla for the BMC.

Mr. G.D. Utangale i/b M/s. Utangale for the SRA.

CORAM : SWATANTER KUMAR, C.J. &
SMT. RANJANA DESAI, J.

DATED : JULY 10, 2007.

P.C.:-

1. The learned counsel appearing for the SRA has stated in the court that the Petitioner is entitled to commercial premises. All that the Petitioner now required to do is to seek the permission from the Corporation to conduct the business, in accordance with law. Even

the Affidavit in Reply filed on behalf of the Corporation confirms this. The relevant portion of the Affidavit in Reply reads thus:

> *"I say that as per the Annexure II the name of Shri Bhikaji Ratnu Jadhav being the petitioner herein is shown at Sr. No. 123 and the user of the hut is shown as "Commercial" and the area of the hut adm. 12.24 sq.mt. I say that on inspection of the site on 13.3.2007, it is seen that the hut is used as flour mill."*

2. In view of the above, nothing survives in this Petition. The Writ Petition is disposed of while leaving the parties to bear their respective costs. After the allotment, the Petitioner is at liberty to approach the Corporation for necessary permission and, if he does so, within a period of six weeks thereafter, the said Application be considered in accordance with law.

[CHIEF JUSTICE]

[SMT. RANJANA DESAI, J.]